

REMARKS

Claims 25-44 remain pending in the application with the present amendments. In the Office Action, all claims were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,801,747 to Bedard ("Bedard") in view of U.S. Patent No. 6,177,931 to Alexander ("Alexander"). For the reasons set forth below, applicant respectfully submits that the claims as amended herein are fully distinguished over *Bedard* and *Alexander*, and now place the application in condition for allowance.

As amended herein, claim 25 recites a method of transmitting items containing content information to a user terminal and reproducing a selected one of the transmitted items at a time selected by a user of the user terminal. According to such method, a user terminal is provided and information items are transmitted to the user terminal, wherein at least some of the transmitted items contain content information including at least one of moving images or audio sound. At the user terminal, the transmitted items containing content information are received and access priorities are assigned to the received items. Some of the received items are selected which contain content information on the basis of information representing the access priorities. The selected items are then selectively stored in the user terminal and the stored items of information are arranged in an order according to the access priorities. At a user-selected time after storing the selected items, one of the stored items is selected by a user and at least one of moving images or audio sound is caused to be reproduced from the user-selected item.

The transmission of content-containing items to a user terminal, the assignment of access priorities to the items at the user terminal, the selection of the content-containing items based on the access priorities, their storage based on the

access priorities and the arrangement of the items in an order according to the access priorities are essential features of the invention claimed in claim 25. These features are neither taught nor suggested by *Bedard*, by *Alexander*, nor by the combination of *Bedard* and *Alexander*. *Bedard* neither teaches nor suggests transmitting content-containing items (including at least one of moving images or audio sound) to a user terminal nor of causing at least one of moving images or audio sound to be reproduced from a user-selected one of such transmitted items at the user terminal at a time selected by a user of the user terminal and then arranged therein. *Bedard* merely describes a system by which electronic program guide ("EPG") information is transmitted and stored at a user terminal. *Bedard* neither teaches nor suggests that the transmitted EPG information contains content information nor that content-containing items are selectively stored in the user terminal. Nor does *Bedard* teach or suggest that moving images or audio sound are caused to be reproduced at the user terminal from a selected one of the transmitted items.

Alexander does not supply the teachings which *Bedard* lacks with respect to the presently pending claims. The passages of *Alexander* cited by the Examiner in the Office Action merely describe the transmission of programs and reception and storage thereof of a user terminal together with "intra-program indexing" received at the terminal during the video blanking interval of the transmitted program.

Further, *Bedard* and *Alexander* do not relate to the same field of endeavor and one of ordinary skill in the art would not normally combine the two references to arrive at the invention that is recited in claims such as claim 25. To be sure, *Bedard* does not belong to the same field of endeavor as the invention recited in the presently pending claims. *Bedard* relates merely to the processing and arrangement of EPG

information, not to the processing, storage and arrangement of content-containing items including moving images and/or audio sound at a user terminal according to access priorities. By contrast, while Alexander describes the transmission, storage and indexing of television (content-containing) programs with indexing information, its teachings at the passages cited by the Examiner at col. 12, lns. 11-44 are not properly combinable with the teachings of Bedard, because Bedard is directed to the handling of EPG information, not content-containing items. Content-containing items are different from EPG information in that they contain moving images and/or sound, and they tend to contain vastly larger amounts of data than EPG information (Cf. paragraph [0082] of applicant's specification). EPG information may even be transmitted through different transmission paths or channels than EPG information.

Support for the present amendments is provided, *inter alia*, at paragraphs [0041], [0044] and [0051] of the specification.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By


Daryl K. Neff

Registration No. 38,253

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant

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